

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM POLANCO,

Plaintiff,

-against-

MILLENIUM HILTON,

Defendant.

-----X
DEBORAH A. BATTES, United States District Judge.

This case was referred to Judge Fox for General Pretrial on June 4, 2008. On January 9, 2009, Defendant wrote a two-page letter to this Court indicating its intent to file a summary judgment motion. Plaintiff did not respond to that letter. On January 20, 2009, in order to remain in compliance with Judge Fox's July 3, 2008 Scheduling Order, the Parties signed a Joint Pre-Trial Statement. On March 2, 2009 The Court's Chambers spoke with Defendant's Counsel by telephone to find out the status of the case and was informed that Defendant wishes to move for Summary Judgment but filed the Joint Pre-Trial Statement only to remain in compliance with Court Order.

After reviewing Defendant's letter, it is HEREBY ORDERED that Defendant shall file and serve its moving papers within 45 days of the date of this Order. Thereafter, Plaintiff shall respond within 45 days of being served with Defendant's moving papers, and Defendant may then reply within 10 days of being served with Plaintiff's response.

Dated: New York, New York

March 6, 2009



Deborah A. Batts
United States District Judge

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